

**ROBINSON BROG LEINWAND GREENE
GENOVESE & GLUCK P.C.**

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Fred B. Ringel

Clement Yee

*Attorneys for the Debtor and Debtor in
Possession*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

VETERAN HOLDINGS NY LLC,

Case No: 22-40052 (ESS)

Debtor.

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**SUPPLEMENTAL DECLARATION OF FRED B. RINGEL IN FURTHER
SUPPORT OF ORDER AUTHORIZING THE RETENTION AND
EMPLOYMENT OF ROBINSON BROG LEINWAND GREENE
GENOVESE & GLUCK P.C. AS ATTORNEYS FOR THE DEBTOR
AND DEBTOR IN POSSESSION EFFECTIVE AS OF JANUARY 12, 2022**

Fred B. Ringel, being duly sworn, states the following under penalty of perjury:

1. I am a shareholder of **Robinson Brog Leinwand Greene Genovese & Gluck P.C.** ("Robinson Brog"). Robinson Brog maintains offices and a principal place of business at **875 Third Avenue, New York, New York 10022**. I am a member in good standing of the Bar of the State of New York and New Jersey, and I have been admitted to practice in the Southern District of New York. There are no disciplinary proceedings pending against me.

2. On January 12, 2022 ("Petition Date") the above captioned debtor and debtor in possession ("Debtor") filed a petition with this Court under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"). On January 24, 2022,

the Debtor filed an application to employ and retain Robinson Brog as counsel for the Debtor [ECF Doc. No. 16] (“Application”) pursuant to sections 327(a) and 330 of the Bankruptcy Code, rules 2014(a) and 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rules 2014 and 2016 of the Bankruptcy Local Rules for the Eastern District of New York (“Local Bankruptcy Rules”). My declaration in support of the Application (“Original Declaration”) was filed at the same time as the Application on January 24, 2022 [ECF Doc. No. 15]

3. I submit this first supplemental declaration (“First Supplemental Declaration”) in support of the Application and to supplement the disclosures set forth in the Original Declaration in accordance with Bankruptcy Rules 2014(a) and 2016(b). Unless otherwise indicated herein, all facts stated in this First Supplemental Declaration are based on my personal knowledge of Robinson Brog’s operations and finances, information learned from my review of relevant documents, and information supplied to me by Robinson Brog’s shareholders or employees. If called upon to testify, I could and would testify on that basis.

Additional Disclosures

4. As stated in the Original Declaration, the firm’s policy requires continued monitoring of the case for any other information requiring supplemental disclosure. The following matters have come to the firm’s attention and require additional disclosure. Robinson Brog does not believe that any of these prior representations described herein are materially adverse to the Debtor’s estate or

otherwise disqualify Robinson Brog from acting as Debtor's counsel in this case but are being made in the interests in full and complete disclosure.

(i) Disclosures related to Equity Interests.

5. The Debtor's existing equity is held by the South to East 2021 Trust ("Trust"). Pearl Schwartz is the sole Trustee of the Trust and the beneficiaries of the Trust are her minor children. She is the decision maker for the Trust in her capacity as the Trustee. The Trust is also the Managing Member of the Debtor.

6. Robinson Brog also represents Bayridge LOK Holdings LLC, a Debtor in a voluntary chapter 11 case pending in the Eastern District of New York before Judge Mazer-Marino under Case no.21-43128. Pearl Schwartz is the Trustee of separate trust, The PJS 2021 Family Trust Trust ("PJS"), PJS is the managing member of Prospect Bayridge LLC ("Prospect"). Prospect is the sole member of Bayridge LOK Holdings LLC, the Debtor in that case. Neither Prospect nor PJS are debtors in any proceeding before any bankruptcy court. Robinson Brog has not represented Prospect or PJS in any case or proceeding.

7. Robinson Brog has not represented Pearl Schwartz in her individual capacity.

(ii) Disclosures related to Joel Wertzberger

8. Pearl Schwartz is the sister of Joel Wertzberger who is an individual business investor. Robinson Brog has not represented Joel Wertzberger in his individual capacity. Mr. Wertzberger also has an interest in JBBNY LLC, a secured creditor in the Debtor's case, and FC Notes SVC, LLC, an unsecured creditor in the

Debtor's case. Because the second degree family relationship makes Mr. Wertzberger an "insider" in the Debtor's case, Robinson Brog is making these supplemental disclosures out of an abundance of caution. Robinson Brog does not believe they have any bearing on its disinterestedness or lack of an adverse interest with respect to the Debtor's chapter 11 case.

9. On February 17, 2017, Robinson Brog filed a chapter 11 bankruptcy Petition for Broadway Equity Holdings LLC ("BEH") in the Southern District of New York, Case No. 17-22242 before Judge Robert D. Drain. BEH was originally owned by 7 members, 6 entities and one individual managing member. One member holding a 16% interest was Hamilton Eastman Capital LLC, which Robinson Brog understood that Mr. Wertzberger held a 99% Membership Interest and Jack Wolcowitz held a 1% interest. Talmu Inc. was another member of BEH holding a 12.8% membership interest and Mr. Wertzberger owned 100% of the shares of Talmu Inc. Judy Minster owned 8.8% of BEH and was the Managing Member of BEH and directed the activities of Robinson Brog during the BEH case.

10. The BEH chapter 11 case was settled in September 2020 but the case was not formally closed until January 2021 when it was dismissed by Judge Drain on BEH's motion. BEH's chapter 11 case concerned the foreclosure of a note and mortgage held by BEH on a property located in Haverstraw New York and was unrelated to the Debtor's chapter 11 case.

11. Mr. Wertzberger was involved in the BEH case in his individual capacity as a counterclaim defendant in an adversary proceeding commenced in the

bankruptcy case. Mr. Wertzberger was not represented by Robinson Brog in the adversary proceeding and had his own counsel.

12. In 2015 Robinson Brog represented The Strulovitch Family LLC an entity in which Mr. Wertzberger held a fifty (50%) percent interest, in connection with its bidding on leases at a bankruptcy sale in the A&P chapter 11 case. The representation of that entity, which concluded in 2015, was unrelated to the Debtor's chapter 11 case.

(iii) Disclosures related to Veterans Road Center LLC

13. Veterans Road Center LLC has never been represented by Robinson Brog. It is represented by Vincent J. Roldan of Mandelbaum Barrett PC in this case.

(iv) Disclosure related to Jack Wolcowitz

14. Jack Wolcowitz is the sole member of Veterans Road Center LLC. Robinson Brog has never represented Mr. Wolcowitz. Jack Wolcowitz has no relationship, as far as Applicant has been able to determine, with the Debtor, Ms. Schwartz or the Trust holding its equity. His only relationship is with Ms. Schwartz's brother, Mr. Wertzberger, whom Robinson Brog has never represented. Accordingly, these Supplemental disclosures regarding Mr. Wolcowitz and his connections to Mr. Wertzberger are made from an abundance of caution and Robinson Brog does not believe they have any bearing on its disinterestedness or lack of an adverse interest in this case¹

¹ The relationships set forth below were first disclosed to Robinson Brog on February 18, 2022 for the purpose of this supplemental disclosure in response to the Court's inquiries on February 17, 2022.

15. Jack Wolcowitz was a counterclaim defendant with Joel Wertzberger and Judy Minster in the BEH adversary proceeding referred to above. Jack Wolcowitz was represented by separate counsel in the adversary proceeding. The BEH chapter 11 case, which, as noted above, has been dismissed, was unrelated to the Debtor's chapter 11 case.

16. Jack Wolcowitz is currently involved in a holding company called Hamilton Eastman. Joel Wertzberger, who holds the title of CEO of Hamilton Eastman, owns 99% of that entity, Jack Wolcowitz, who holds the title of COO, owns 1% of the company. Through Hamilton Eastman, Wertzberger and Wolcowitz have invested in two other private companies, AOF Klickly LLC in which Wertzberger and Wolcowitz each own 45% of the entity and Angels on Fire LLC in which Wertzberger owns 81.82% and Wolcowitz owns 18.18%. Separately, Wertzberger and Wolcowitz were involved in a property development company known as Prospect Developers LLC in which they each owned 33.3% of the membership interests.

17. Wertzberger and Wolcowitz have invested in several real estate projects together which have been disclosed to Robinson Brog as follows:²

Entity	Property	Wertzberger Interest	Wolcowitz Interest	Minster Interest
18 Cooper LLC	919 Rockaway	64%	6%	
220 Holdings LLC	712/714 East 220th Street, Bronx	33.33%	28.33%	

² Judy Minster, whose connections to this case are disclosed below, has an interest in three of these investments. They are indicated in this chart for purposes of efficiency.

277 Bedford LLC	277 Bedford Ave Brooklyn, NY	49.5%	0.50%	
716 East 234th Street LLC	716 East 234 St Bronx, NY	65%	12.5%	12.5%
920 Manager LLC	ground lease for 720 72 nd St Brooklyn, NY	45%	5%	
1920 Loring LLC	1 920 Loring Ave Bronx NY	33%	16.67%	
Arnow & Grace LLC	6 Properties in Bronx NY	30%	10%	10%
Bainbridge BX LLC	2 properties on Bainbridge Ave	23%	6%	
Boston Corner Crotona LLC	1384-1390 Boston Road, in Bronx, NY	17.5%	10.5%	
Brooks Family Holdings LLC	183-01 141st Ave Jamaica, NY	27%	6%	
Haverstraw Joyland OZ LLC	owns Haverstraw Joyland QOB	75%	25%	
owns Haverstwow Joyland QOB	Owns 120 Rockland Holdings LLC		1%	
Hempstead Property LLC	152 W Graham Ave, Hempstead NY	55%	45%	
Mulberry JD LLC	30-40 Mulberry Street, Middletown NY	50%	20%	
38 Stratford Holdings LLC	38 Stratford Place, Brooklyn, NY	70%	10%	
Arthur Joyjack Holdings LLC	Ground Lease 1910 Arthur Avenue, Bronx NY	51%	15%	

(v) Disclosures related to Judy Minster

18. Veterans Road Center LLC has indicated that it intends to bring Joyland Management in as the property manager of South Shore Commons in the event it is the successful purchaser of the property. Based on the documentation provided to the Debtor by Veterans Road Center, Joyland is a company owned 100% by Judy Minster (“Minster”). Minster has never been represented by Robinson Brog. Minster was the owner of an eight (8%) percent membership interest in BEH, the entity represented by Robinson Brog in its 2017 chapter 11 case before Judge Drain. In addition, Minster was also a counterclaim Defendant in the same adversary proceeding that Joel Wertzberger and Jack Wolcowitz were counterclaim Defendants in. In that unrelated adversary proceeding, Minster was represented by separate counsel. Minster is also the wife of Jack Wolcowitz.

Affirmative Statement of Disinterestedness

19. Based on the conflicts search conducted to date and supplemental disclosures described herein, to the best of my knowledge and insofar as I have been able to ascertain, (a) Robinson Brog is a “disinterested person” within the meaning of section 101(14) of the Bankruptcy Code, as required by section 327(a) of the Bankruptcy Code, and does not hold or represent an interest adverse to the Debtor’s estate, and (b) Robinson Brog has no connection to the Debtor, its creditors, or other parties in interest, except as may be disclosed herein.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

**Dated: New York, New York
February 21, 2022**

/s/ Fred B. Ringel
Fred B. Ringel